

**IN THE UNITED STATES DISTRICT COURT  
FOR EASTERN DISTRICT OF PENNSYLVANIA**

DIANE JOHNSON, ON BEHALF OF HERSELF  
AND OTHERS SIMILARLY SITUATED,

*Plaintiff,*

v.

MATTRESS WAREHOUSE, INC.,

*Defendant.*

**CIVIL ACTION NO. 20-891**

**DEFENDANT MATTRESS WAREHOUSE, INC.'S  
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, Defendant Mattress Warehouse Inc. (“Mattress Warehouse”) hereby moves this Court for an Order granting summary judgment in its favor on the entirety of Plaintiff Diane Johnson’s Complaint. In support of this Motion, Mattress Warehouse relies upon the accompanying Brief and Statement of Undisputed Material Facts, both of which are incorporated herein by reference.

WHEREFORE, Mattress Warehouse respectfully requests (1) that its Motion be granted, (2) that judgment be entered in its favor, (3) that this case be dismissed in its entirety with prejudice, and (4) that the Court grant any other and further relief as may be just and warranted.

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Respectfully submitted,

Dated: October 26, 2020

By: /s/ Henry A. Platt

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